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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,582	10/04/2001	Leon H. Weyant	01062	1181

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EXAMINER
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LEE, SEUNG H

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 06/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/970,582

Applicant(s)

WEYANT, LEON H.

Examiner

Seung H Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claim 33 is objected to because of the following informalities:

Re claim 33, line 2: "**approximately**" is indefinite and vague in its relationship to the millimeter (i.e. what does it mean by reciting "approximately 0.76mm"?),

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8 and 10-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubu (US 5,710,421) in view of Crosley et al. (US 4,837,822)(hereinafter referred to as 'Crosley') and McCabe et al. (US 6,068,192)(hereinafter referred to as 'McCabe').

Kokubu teaches that an IC card (28) also serving as a key card, a booklet, and a pamphlet in which the IC card comprising two sides (1a and 1b) wherein two sides are foldable in half along a hinge portion (5) in which an adhering synthetic resin sheet (3) is serving as a thin-flexible membrane bonded to inside surface of the two sides wherein the adhering synthetic sheet does not cover the contact, a first side or planar (1a) including an I/O interface or an electronic contact (10), a memory or storing section (20),

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an antenna (16) for contact less communication (see Figs. 1-4; col. 2, line 32- col. 6, line 17).

However, Kokubu fairly teaches the card is used as an electronic card and the card includes a magnetic stripe for storing information.

Crosley teaches that an electronic lock system (20) comprising a reader/writer (27) for reading information from the magnetic stripe (31) of the card (32) then open lock, and programming a data area (102),

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Crosley to the teachings of Kokubu in order to provide an alternative means for operating the electronic lock system by reading information from the magnetic stripe on the IC card in case of failure of the IC card reader that is reading data from the memory of the IC card. Moreover, such modification would provide a flexibility means for accessing the system using data stored on the magnetic stripe of the IC card if the IC card reader is not readily available for reading data at the site of the electronic lock system.

Although, Kokubu as modified by Crosley teaches the electronic card key to open lock, they fairly particularly teach the electronic key card include printed information thereon.

However, McCabe teaches the foldable IC card (10) having magnetic stripe (22) including a read/write track (25) on the backside of the IC card and the IC card also having printed information such as logo or company name (112) on a front side of the IC card in which information is printed under the transparent layer or polyester film (144),

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the IC card also including information (28) such as an account number, an expiration data, and an account holder name wherein information are embossed out, and the thickness of the IC card is 0.0625 inches, the width of the IC card is 3.375 inches, and the height of the IC card is 2.215 inches (see Figs. 2-5, 7-10; col. 4, line 23- col. 5, line 65; col. 8, lines 43-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of McCabe to the teachings of Kokubu/Crosley in order to provide additional information means for printing logo or account information on the IC for visual verification purposes. Moreover, such modification would provide an alternative means for entering the account information (i.e., an account number and an expiration date) manually in case of failure of reading information from the magnetic stripe and/or the memory of the IC card. Furthermore, such modification would have been an obvious design variation to modify the thickness, width, and height of the IC card in order to meet the ISO 7816 standard, and therefore an obvious expedient.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubu as modified by Crosley and McCabe as applied to claim 1 above, and further in view of Ueda (US 4,849,617).

The teachings of Kokubu/Crosley/McCabe have been discussed above.

Although, Kokubu/Crosley/McCabe teaches two sides key card, they fail to teach the third panel of the IC card.

However, Ueda teaches an IC card (2) comprising three bodies (4-6) wherein a linkage member (6) is joining both of other members (see Figs. 3(a)-3(c); col. 2, lines 48-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to teachings of Ueda to the teachings of Kokubu/Crosley/McCabe in order to provide advantage means for enhancing protection against static destruction.

5. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kokubu as modified by Crosley and McCabe as applied to claim 18 above, and further in view of Ohara et al. (US 5,739,814)(hereinafter referred to as 'Ohara').

The teachings of Kokubu/Crosley/McCabe have been discussed above.

Although, Kokubu/Crosley/McCabe teaches two sides booklet, they fail to teach the pages of the booklet is attachable.

However, Ohara teach an electronic book (6) comprising a multiple pages (44) wherein pages can be detachable (see Figs. 4-6; col. 4, lines 32-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to teachings of Ohara to the teachings of Kokubu/Crosley/McCabe in order to provide an improved and an enhanced system means wherein user(s) can access data stored in the electronic page swapping electronic pages one another by detaching and attaching the electronic pages thereof.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

McTaggart [US 6,021,306] discloses an electronic book,

Tonnesson [US 5,089,692] discloses an electronic lock.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.


If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 308-5841 or (703) 308-7722.


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.lee@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
Seung H. Lee  
Art Unit 2876  
May 30, 2003

  
MICHAEL G. LEE  
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